S.B.CRIMINAL MISC. BAIL APPLICATION NO.5513/2007

(Bharat Singh & Ors. vs. State of Rajasthan)

DATE OF ORDER : November 16, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Pankaj Sharma for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.
Mr.D.L.Mothsra, for the complainant.

Heard learned counsel for the petitioners, Public Prosecutor for the State and the counsel for the complainant. Perused the order impugned and the police investigation diary.

There are serious allegations against petitioners No.1 Bharat Singh, No.2 Purna Ram and No.3 Rajkumar alias Rajveer causing injuries to the injured, first informant. Looking to the nature of the injuries and the fact that one of the injuries is on parietal region i.e. on skull by sharp edged weapon, in my view, it is not a fit case to grant anticipatory bail to petitioners No.1, 2 and 3.

The bail application filed by petitioners No.1, 2 and 3 is dismissed.

So far as petitioner No.4 Vinod is concerned, no specific overt act has been assigned to him.

Having regard to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant

anticipatory bail to petitioner No.4.

Accordingly, the bail application filed by petitioner No.4 under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner No.4 Vinod s/o Brijlal in FIR No.571/2007, Police Station, Nohar, Distt. Hanumangarh, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-